



UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF DELAWARE
OFFICE OF THE CLERK

PETER T. DALLEO
CLERK OF COURT

U.S. COURTHOUSE
844 KING STREET, LOCKBOX 18
WILMINGTON, DELAWARE 19801
(302) 573-6170
www.ded.uscourts.gov

April 24, 2008

Gloria Nieves
625 Village Drive
Middletown, DE 19709

RE: Nieves v. Acme Markets, Inc., et al.
Civil Action No. 06-123 GMS

Dear Ms. Nieves:

The court notes that you are representing yourself in the above-referenced matter. The court also notes that you qualified for *in forma pauperis* status in a case which was previously filed in this court, *Nieves v. Acme Supermarkets*, Civil Action No. 05-646 GMS.

In order to ascertain whether or not you may be qualified for a court-appointed attorney, you may complete the enclosed Application to Proceed without Prepayment of Fees and Affidavit. If you believe you may qualify for *in forma pauperis* status at this time, you may file with the court a motion to appoint counsel, along with your completed application to proceed *in forma pauperis*.

Nothing contained in this letter is intended to express an opinion as to the merits of any claims which you may be alleging.

Sincerely,

PETER T. DALLEO, CLERK

Marie McDavid
Deputy Clerk

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Plaintiff

V.

Defendant(s)

**APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVIT**

CASE NUMBER:

I, _____ declare that I am the (check appropriate box)

Petitioner/Plaintiff/Movant Other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915, I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? Yes No (If "No" go to Question 2)

If "YES" state the place of your incarceration _____

Inmate Identification Number (Required): _____

Are you employed at the institution? _____ Do you receive any payment from the institution? _____

Attach a ledger sheet from the institution of your incarceration showing at least the past six months' transactions

2. Are you currently employed? Yes No

a. If the answer is "YES" state the amount of your take-home salary or wages and pay period a and give the name and address of your employer.

b. If the answer is "NO" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have you received any money from any of the following sources?

- | | | |
|---|------------------------------|-----------------------------|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Rent payments, interest or dividends | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. Disability or workers compensation payments | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| e. Gifts or inheritances | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| f. Any other sources | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of the above is "YES" describe each source of money and state the amount received *AND* what you expect you will continue to receive.

AO 240 Reverse (Rev. 10/03)
DELAWARE (Rev. 4/05)

4. Do you have any cash or checking or savings accounts? Yes No
If "Yes" state the total amount \$ _____
5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property? Yes No
If "Yes" describe the property and state its value.
6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support, OR state *NONE* if applicable.

I declare under penalty of perjury that the above information is true and correct.

DATE

SIGNATURE OF APPLICANT

NOTE TO PRISONER: A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.